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62. The method of claim 30, wherein said nucleic acid encodes residues 1-277 of an apoE preprotein of any one of SEQ ID Nos. 14-19.

REMARKS

Applicants elect the claims of Group I (claims 30-47), drawn to therapeutic methods of administering a nucleic acid to a mammal, and elect the species of SEQ ID NO: 15 (apoE3) and the species of adenoviral vector, without traverse. Applicants note that the use of apoE3 nucleic acids is recited in claims 56, 58, 60, and 62, and the use of adenoviral vectors is recited in claim 37. In the event that a generic claim is allowed, applicants assert that claims to the remaining species, which are written in dependent form, or which otherwise include all the limitations of the allowed generic claim should be considered as provided by 37 CFR § 1.141 and MPEP § 809.02(a). Upon allowance of a generic claim, applicants request the Examiner to contact the undersigned regarding the order in which the remaining species are to be considered.

Support for Amendment

New claims 50-62 have been added to recite the use of specific nucleic acids and encoded polypeptides in the present methods, as disclosed, for example, on pages 7-10 of the specification. No new matter has been added.

Enclosed is a petition to extend the period for replying for five months, to and including January 2, 2003.

If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: Jan. 2, 2009

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